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**ADMINISTRATIVE CAPACITY OF LOCAL GOVERNMENTS  
IN ENSURING COMPLIANCE WITH EU ENVIRONMENTAL LAW:  
A COMPARATIVE ANALYSIS OF ROMANIA AND UKRAINE**

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The implementation of EU environmental law depends heavily on the administrative capacity of local governments, which act as the primary enforcement agents. Environmental directives related to water management, waste regulation, biodiversity protection, and climate policy require robust institutional frameworks, technical expertise, and adequate financial resources. In both Romania and Ukraine, local governments play a crucial role in enforcing EU environmental standards, but their effectiveness is limited by structural and systemic challenges.

Romania, as an EU Member State, has officially adhered to EU environmental law. However, R. Duminiță points out that the legal framework is highly complex and fragmented; overlapping regulations create administrative burdens, and local authorities struggle to interpret and apply legal provisions. This leads to formal compliance without real implementation, showing a gap between legal alignment and administrative capacity. Local administrations in Romania often lack specialized environmental experts, ongoing professional training, and the technical knowledge needed to enforce complex EU laws.

Despite access to EU funds, local governments in Romania face bureaucratic complexity in funding procedures and co-financing requirements, as well as limited project management capacity. As a result, environmental infrastructure projects (e.g., waste systems, water treatment) are often delayed or underdeveloped [1, p. 378-379].

Ukraine is in the process of aligning its environmental legislation with EU standards. But institutional frameworks remain incomplete, administrative systems are undergoing reform, and coordination between national and local levels is weak. This creates partial compliance without stable administrative structures.

Local governments in Ukraine face significant shortages of qualified personnel, environmental specialists, and trained administrators, while administrative reforms have not yet been accompanied by local-level capacity building, resulting in implementation gaps [2, p. 215-216].

Ukraine's financial capacity is severely limited: small local budgets, heavy reliance on central government funding, and increased fiscal pressure due to war. These challenges prevent local governments from investing in environmental infrastructure, adopting EU-compliant policies, and maintaining monitoring systems. The administrative capacity is crucial for ensuring compliance with EU environmental law. Legal harmonization alone is not enough without trained personnel, stable institutions, adequate funding, and effective governance mechanisms.

In the context of European integration, it should also be noted that certain EU policies are complex to implement and pose a significant challenge for local authorities. For instance, implementing the European Green Deal requires substantial financial resources – around €520 billion over the period 2021–2030. According to preliminary estimates, each Member State is expected to invest an average of around €19 billion annually. At the same time, according to data from the European Committee of the Regions, around 80% of expenditure under this policy is incurred at the local level.

In other words, European integration processes pose additional challenges for local authorities, including increased financial expenditure to ensure compliance with European standards; more complex administrative procedures; higher standards for public administration quality; and the need to improve local policies. Failure to comply with EU law at the local level may result in financial sanctions being imposed on an EU Member State, which alters the approach to coordination between central and local authorities. The role of local self-government bodies in harmonizing legislation warrants separate attention, as it is an important prerequisite for the effective fulfillment of obligations within the framework of EU accession. The low level of institutional capacity of local self-government to comply with EU law requirements may lead to the imposition of sanctions pursuant to decisions of the Court of Justice of the EU [3].

Romania's experience with fulfilling obligations to close solid waste landfills is illustrative. Under the Treaty of Accession of Romania to the EU, an exemption was agreed upon for 101 solid-waste landfills, which were to be closed within 10 years. However, in 2018, the Court of Justice of the EU imposed financial penalties on Romania amounting to €1.5 million, as well as a daily penalty of €500 for each day of delay for every landfill site that remained open. At the time the decision was made, there were 31 such sites [3].

As previously mentioned, Romania's experience in fulfilling obligations to close solid waste landfills is crucial for Ukraine. Every year, around 10 million tons of municipal solid waste are generated in Ukraine, of which over 90% is landfilled. This waste volume, which amounts to roughly 300 kg per capita, highlights a critical need for improved waste management, as landfill capacity is strained. As well as all these sites fail to meet EU environmental standards.

For example, Council Directive 1999/31/EU of 26 April 1999 on the landfill of waste sets out strict standards for the design, operation and closure of landfills to reduce their negative impact on the environment, whilst Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste has a profound impact on landfills, establishing a strict hierarchy: landfill becomes the last resort only for non-recyclable residues. At the same time, the level of waste recycling in Ukraine does not exceed 8%, which lags significantly behind levels in European Union countries. This is due both to the low level of environmental awareness among officials at various levels and the public, and to the lack of adequate infrastructure: separate collection, sorting stations, and waste processing plants.

That said, the specific issues related to waste recycling and the operation of authorized landfill sites primarily fall under the jurisdiction of local authorities. Article 25 of the Law of Ukraine ‘On Waste Management’ defines the powers of the executive bodies of village, settlement, and city councils in the field of waste management, particularly:

- Managing household waste, as well as construction and demolition waste;
- Identifying, according to established procedures, economic operators involved in collecting, transporting, recovering, and disposing of household waste;
- Implementing a separate collection of household waste and organizing the operation of separate collection points;
- Ensuring the removal of unauthorized waste disposal sites within settlement boundaries [4].

The failure of local authorities to fully exercise their powers in waste management results in the creation of unauthorized rubbish dumps and a steady increase in their number and size. According to the Ministry of Environmental Protection, there are over 6,000 rubbish dumps and landfill sites in the country, covering a total area of 9,000 hectares. According to the Ministry of Infrastructure of Ukraine, as of 2022, 693 landfills, more than one in ten, did not meet basic environmental safety standards, whilst 163 (2.8% of the total) were found to be overloaded [5].

Work has begun on developing the first cluster-based waste management plans for Ukraine’s regions. Currently, experts are reviewing the existing waste management system and forecasting waste generation over the next 10 years. Experts from the EU-funded international technical assistance project ‘Strengthening the capacity of regional and local authorities to implement and apply EU legislation in environmental protection, climate change mitigation, and infrastructure development’ (APENA3) are working on the document, with support from the Ministry of Environmental Protection

and Natural Resources of Ukraine and the Ministry of Community and Territorial Development.

Both Romania and Ukraine show that the administrative capacity of local governments is essential for meeting EU environmental protection standards under national law at the local level. Romania's challenge is improving efficiency and coordination within an existing framework. Ukraine's challenge is building basic administrative capacity amid systemic reform and EU law harmonization. Improving local governments' administrative capacity means investing in human resources, simplifying legal frameworks, and strengthening financial mechanisms. Ultimately, effective enforcement of EU environmental law relies not only on legal compliance but also on local governments' capacity to turn policies into real environmental outcomes.

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